

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

FRANCIS X. MOORE,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 04-10922-DPW
)	
INTERNAL REVENUE SERVICE (UNITED)	
STATES GOVERNMENT),)	
)	
Defendant.)	

JOINT STATEMENT PURSUANT TO MASSACHUSETTS LOCAL RULE 16.1(D)

Pursuant to the Court's Notice of Scheduling Conference, the parties, by and through undersigned counsel and plaintiff appearing pro se, submit the following joint statement:

1. The parties request 4 months to complete discovery due to the number of issues involved in this matter and the potential for a large number of depositions. The parties' proposed discovery deadline would therefore be January 7, 2005. Because claims brought under § 6672 of the Internal Revenue Code are extraordinarily fact-dependent, phased discovery is not recommended for this litigation.

2. The parties propose that the Court set Monday, February 14, 2005, as the last day for the service of dispositive motions, thereby allowing the parties a reasonable time after the discovery phase is completed to consider settlement possibilities and draft dispositive motions. The parties propose that responses to any summary judgment motion be served by March 14, 2005.

3. The parties will file separate certifications as required by Local Rule 16.1(d)(3).

AGREED:

United States of America
Defendant and Counterclaim Plaintiff:

Francis X. Moore
Plaintiff and Counterclaim
Defendant:

BY: /s/ Lydia B. Turanchik
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